

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL ERALI II

Plaintiff, : DOCKET NO. 3:04-cv-30241-MAP

v.

TOWN OF ORANGE,

Defendant.

PROPOSED JUROR VOIR DIRE

1. The plaintiff in this case is Michael Erali II. Do you know Mr. Erali?
2. The lawyers for the plaintiff are Suzanne Garrow and Joel Feldman of Heisler Feldman, McCormick & Garrow. Do you know his attorneys or their partners?
3. The defendant in this case is the Town of Orange and the alleged harasser is Evelyn Daly. At the time of events complained about in the plaintiff's complaint Ms. Daly was married to Brian Daly. Do you know these people? Do you have any connection whatsoever to the Town of Orange. If so, what is the nature of the knowledge or connections? When did these dealings take place? Would your past dealings with the Town or the people have any affect on your ability to be impartial as a juror in this case?

If you worked for the Town, when did you work for the Town and what was your position? Would the fact that you worked for the Town have any affect on your ability to be impartial as a juror in this case?

If you have lived in the Town when did you live there? Would the fact that you lived there have any affect on your ability to be impartial as a juror in this case?

4. The Town of Orange is represented by Carolyn Murray and David Jenkins of Kopelman & Paige. Do you know its attorneys or their partners?

5. Do you know any of the following persons who may be called as witnesses in this case? (List names on pretrial lists.)
6. Do you have any children?
7. Are they boys or girls? What are their ages?
8. Have you heard or read or know anything about the subject matter of this trial?
9. Have you or any other member of your household been a party, either plaintiff or defendant, in a civil case that has that has been filed in the course of the past ten years? What was the nature of that case?
10. Have you ever been a witness in a case?
11. Has there been any experience in your personal life or the personal life of any member of your family that you believe would influence your judgment as a fair and impartial juror? Have you any fixed ideas relative to anyone who files a lawsuit which would affect your judgment as a fair and impartial juror?
12. Do you believe that there is such a thing as sexual harassment in the workplace?
13. Are you skeptical of employees who complain of sexual harassment?
14. What is you opinion of sexual innuendos in the workplace?
15. Have you any preconceived ideas about this type of case, specifically do you believe a man could be a victim of sex discrimination and specifically sexual harassment by a woman?
16. Have you any other preconceived ideas that would affect your ability to be impartial as a juror?
17. Do you know of any reason why you cannot serve as a fair and impartial juror?
18. Have you or any member of your immediate family been involved in any capacity in investigating, processing, representing, adjudicating or otherwise touching on civil rights matters?
19. Have you been involved in the process of terminating an employee?

20. Have you received a promotion at work in the last three years?
21. Do you expect to receive a promotion in the foreseeable future?
22. Have you, your spouse or any member of your family ever been accused of harassment, be it falsely or not?
23. Have you ever been a supervisor at your workplace?
24. Have you had people working for you? In what capacity?
25. Have you ever worked in the field of labor relations, industrial relations or personnel?
26. Have you ever been active in a union? Have you ever worked in a union shop?
27. Have you ever protested a written job appraisal or job evaluation?
28. Have you ever owned your own business or been self employed?
29. Have you ever served on jury before? Have you ever served as a juror on a criminal case? Do you understand that in a civil case the plaintiff only has the burden of proving his case by a preponderance of the evidence? Do you understand that the plaintiff does not have to prove his case beyond a reasonable doubt as in a criminal case?
30. Do you understand that in a civil case the defendant and not the plaintiff may be required to prove its defenses?
31. Have you ever heard a joke which you considered to be offensive to any particular minority group or gender? Have you ever told or repeated one yourself?
32. Do you think our society makes too much of civil rights these days? If so, why?
33. If, after you have considered all the evidence in this case and the court's instructions, you find that the plaintiff is entitled to a money judgment against the defendants, do you know of any reason why you could not join in a judgment awarding a money judgment to the plaintiff?

34. Do you believe that a person who has experienced employment discrimination can suffer emotional distress as a result of that experience?
35. Do you believe that a person who has experienced employment discrimination should be financially compensated for emotional suffering?
36. Do you have any limits in your mind as to the amount that you would be willing to award someone for emotional distress?
37. Do you think it is fair and appropriate to make a defendant who has violated the laws prohibiting employment discrimination to pay damages designed to punish or deter wrongful conduct and to deter others from the same conduct?
38. Please name three magazines that you regularly read.
39. Please name the three television programs you watch most often.

Dated: February 20, 2007

Respectfully submitted,

PLAINTIFF MICHAEL ERALI II
By his attorney,

/s/ Suzanne Garrow
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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic File (NEF).

/s/ Suzanne Garrow
Suzanne Garrow